

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
DOCKET NO. 5:21-CV-00072-FDW

JOHNATHAN SHEW,

Plaintiff,

vs.

KILOLO KIJAKAZI, *Acting Commissioner*  
*of Social Security*,<sup>1</sup>

Defendant.

ORDER

THIS MATTER is before the Court on Plaintiff's Motion for Attorney Fees, (Doc. No. 17), filed on February 11, 2022, wherein Plaintiff seeks entry of a consent order agreed to by the parties and asserts that the parties have agreed that the Commissioner of Social Security should pay the sum of \$5,300.00, in full and final settlement of all claims arising under the Equal Access to Justice Act (the "**EAJA**"). See 28 U.S.C. § 2412(d).

IT IS THEREFORE ORDERED that Plaintiff's Motion for Attorney Fees, (Doc. No. 17), is GRANTED. The Commissioner of Social Security shall pay to Plaintiff the sum of \$5,300.00 in attorney fees, in full satisfaction of any and all claims arising under the EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sum, this case is dismissed with prejudice. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff's counsel, Charlotte Hall, and mailed to her office at P.O. Box 58129, Raleigh, North

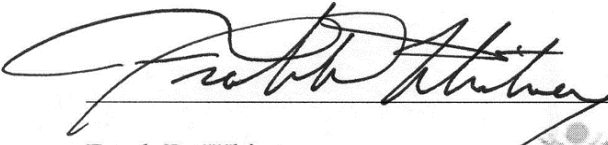
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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul, as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Carolina 27658, in accordance with Plaintiff's assignment to his attorney of his right to payment of attorney's fees under the EAJA. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

IT IS SO ORDERED.

Signed: February 11, 2022

  
Frank D. Whitney  
United States District Judge

